

Attachment D

Form of Offer Letter

Attachment D

[Offeror's Letterhead]

[Insert Date]

District of Columbia Department of General Services
2000 14th Street, NW
Washington, D.C. 20009

Attn.: Mr. Christopher Weaver
Director

Reference: Request for Proposals
Design-Build Services – St Elizabeths East Campus Stage 1 Phase 1
Infrastructure Improvements

Dear Mr. Weaver:

On behalf of [INSERT NAME OF BIDDER] (the "Offeror"), I am pleased to submit this proposal in response to the Department of General Services' (the "Department" or "DGS") Request for Proposals (the "RFP") to provide design-build services for St Elizabeths East Campus Stage 1 Phase 1 Infrastructure Improvements. The Offeror has reviewed the RFP and the attachments thereto, any addenda thereto, and the proposed Form of Contract (collectively, the "Bid Documents") and has conducted such due diligence and analysis as the Offeror, in its sole judgment, has deemed necessary in order to submit the Offeror's Bid in response to the RFP. The Offeror's proposal, including the Preconstruction Fee and the Incentive Fee, as included in the Lump Sum Construction Bid (as defined in paragraph A) are based on the Bid Documents as issued and assume no material alteration of the terms of the Bid Documents (referred to as the "Offeror's Bid.>").

The Offeror's Bid is as follows:

The Offeror acknowledges and understands that the Preconstruction Fee and the Design-Build Fee are firm, fixed prices and other than as permitted in the Form of Contract will not be subject to further adjustment. The Offeror also acknowledges that one hundred percent (100%) of the Incentive Fee is at-risk, and the selected Offeror will only be entitled to such amount as set forth in the Form of Contract. The Offeror acknowledges that DGS will assign the Professional Services Contract for Final Design Services and Construction Administration services for the Engineer of Record to the Offeror and that costs for these services are included in the preconstruction fee and General Conditions Budget or other portions of the schedule of values, and are included in the Total Lump Sum Bid amount.

A. The estimated cost of the Offeror's general conditions, materials, labor and all costs required to complete the design, permit, manage and construct the Stage 1 Phase 1 Infrastructure Improvements (the "Lump Sum Bid") is set forth below. The Lump Sum Construction Bid consists of the following schedule of values:

1.	General Conditions Budget during construction including all employee training, progress photographs, complete & furnished contractor and engineer field facilities, project management, field layout, permit fees, field and office Quality Control/Quality Assurance, Insurance, record drawings & as-built plans, and complete project management of the work.	\$
2.	Mobilization	\$
3.	Maintenance of Traffic during construction on site and off site	\$
4.	Preconstruction Fee	\$980,000.00
5.	Incentive Fee	\$400,000.00
6.	Security fencing, access control and job site security for the duration of construction	\$
7.	Site Demolition including utilities, steam tunnels, and pavements including necessary abatement and disposal	\$
8.	Building Demolition including necessary abatement and disposal	\$
9.	Earthwork, including disposal of contaminated soil and clear/grub	\$
10.	Complete Sanitary Sewer System including all services, connections to existing lines, and testing ready for acceptance by DC Water	\$
11.	Complete Storm Sewer System including LID features, SWM, DOEE permits, connections to existing lines, testing, and all service lines ready for acceptance/approval by DDOT, DOEE, and DC Water.	\$
12.	Complete Potable Water System including all fittings, thrust blocks, service lines, hydrants, testing, and connections to existing lines ready for acceptance by DC Water.	\$
13.	Complete dry utility system for power distribution including conduits, duct banks, pull lines, manholes, testing, and connections to existing systems ready for acceptance by Pepco	\$
14.	Complete dry utility system for communications and data distribution including conduits, duct banks, pull lines, manholes, testing and connections to existing systems ready for acceptance by OCTO/DC Net.	\$
15.	Complete Roadway system including pavement and base sections, curb and gutter, sidewalks, installation of parking meters, wheelchair ramps, signage, pavement markings, and permeable pavements ready for acceptance by DDOT.	\$
16.	Complete Street Lighting System and Traffic Signals including conduits, wiring, poles, signal components, connections to existing systems, and necessary Pepco connection fees ready for acceptance by DDOT.	\$

17.	Complete Landscaping and Streetscape System including street trees, LID vegetative features, trash & recycling receptacles, bike racks, ready for approval by DDOT UFA.	\$
18.	(100%) one hundred percent payment and performance bonds	
	TOTAL LUMP SUM BID	\$

The Offeror acknowledges and understands that the Lump Sum Construction Bid will be incorporated into the contract and that the Offeror will not be permitted to exceed the Lump Sum Bid for project costs unless it first obtains the written approval of the Department.

The Offeror's Bid is based on and subject to the following conditions:

1. The Offeror agrees to hold its proposal open for a period of at least one hundred and twenty (120) days after the date of the bid.
2. Assuming the Offeror is selected by the Department and subject only to the changes requested in paragraph 5, the Offeror agrees to enter into a contract with the Department on the terms and conditions described in the Bid Documents within ten (10) days of the Notice of Award. In the event the Offeror fails to do so, the Department shall have the right to levy upon the Offeror's bid bond.
3. Both the Offeror and the undersigned represent and warrant that the undersigned has the full legal authority to submit this bid form and bind the Offeror to the terms of the Offeror's Bid. The Offeror further represents and warrants that no further action or approval must be obtained by the Offeror in order to authorize the terms of the Offeror's Bid. In addition to any other remedies that the Department may have at law or in equity, the Department shall have the right to levy upon Bidder's Bid Bond in the event of a breach of this paragraph 3.
4. The Offeror and its principal team members hereby represent and warrant that they have not: (i) colluded with any other group or person that is submitting a proposal in response to the RFP in order to fix or set prices; (ii) acted in such a manner so as to discourage any other group or person from submitting a proposal in response to the RFP; or (iii) otherwise engaged in conduct that would violate applicable anti-trust law.
5. The Offeror's proposal is subject to the following requested changes to the Form of Contract: [INSERT REQUESTED CHANGES. OFFERORS ARE ADVISED THAT THE CHANGES SO IDENTIFIED SHOULD BE SPECIFIC SO AS TO PERMIT THE DEPARTMENT TO EVALUATE THE IMPACT OF THE REQUESTED CHANGES IN ITS REVIEW PROCESS. GENERIC STATEMENTS, SUCH AS "A MUTUALLY ACCEPTABLE CONTRACT" ARE NOT ACCEPTABLE. OFFERORS ARE FURTHER ADVISED THAT THE DEPARTMENT WILL CONSIDER THE REQUESTED CHANGES AS PART OF THE EVALUATION PROCESS.]
6. The Offeror hereby certifies that neither it nor any of its team members have entered into any agreement (written or oral) that would prohibit any contractor, subcontractor or subconsultant that is certified by the District of Columbia Office of Department of Small and Local Business Enterprises as a Local, Small, Resident Owned or Disadvantaged Business Enterprise

(collectively, “LSDBE Certified Companies”) from participating in the work if another company is awarded the contract.

7. This bid form and the Offeror’s Bid are being submitted on behalf of [INSERT FULL LEGAL NAME, TYPE OF ORGANIZATION, AND STATE OF FORMATION FOR THE OFFEROR].

Sincerely,

By: _____
Name: _____
Title: _____